

# Exhibit 14

Deposition of Kurt Otto  
(February 6, 2017)  
(excerpted)

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

CUNG LE; NATHAN QUARRY, JON	)	
FITCH, on behalf of	)	
themselves and all others	)	
similarly situated,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	Case No.
	)	2:15-cv-01045-RFB-(PAL)
	)	
ZUFFA, LLC, d/b/a Ultimate	)	
Fighting Championship and	)	
UFC,	)	
	)	
Defendant.	)	
_____	)	

VIDEOTAPED DEPOSITION OF

KURT OTTO

New York, New York

February 6, 2017

10:00 a.m.

Reported by:  
JUDITH CASTORE, CLR  
Job No. 48410

<p style="text-align: right;">242</p> <p>1 OTTO</p> <p>2 other revenue streams; otherwise,</p> <p>3 you're dead in the water.</p> <p>4 <b>Q So, in order to compete on</b></p> <p>5 <b>the level of the UFC, you need a ton of</b></p> <p>6 <b>capital; is that right?</b></p> <p>7 A To start off with.</p> <p>8 MR. SKAGGS: Objection.</p> <p>9 Leading.</p> <p>10 <b>Q You said "to start off with,"</b></p> <p>11 <b>a ton of capital; yes?</b></p> <p>12 A Yes. To get that machine</p> <p>13 going so that you can prove to the TV</p> <p>14 network that you have the wherewithal</p> <p>15 to actually put on an event. Not just</p> <p>16 a one-off situation; I'm talking about</p> <p>17 a season. I am talking about, I'm</p> <p>18 going to deliver you 35 shows.</p> <p>19 <b>Q You need a lot of top-level</b></p> <p>20 <b>fighters in order to get the TV</b></p> <p>21 <b>contract?</b></p> <p>22 MR. SKAGGS: Objection.</p> <p>23 Foundation.</p> <p>24 <b>Q Is that right?</b></p> <p>25 A It's all linked.</p>	<p style="text-align: right;">244</p> <p>1 OTTO</p> <p>2 MR. SKAGGS: Objection.</p> <p>3 Foundation. Leading.</p> <p>4 A Correct.</p> <p>5 <b>Q Go ahead.</b></p> <p>6 A And one more thing, it's</p> <p>7 tough to get the top fighters if you</p> <p>8 don't have a TV deal for them to strut</p> <p>9 their stuff. You -- you know,</p> <p>10 everybody wants their 15 minutes of</p> <p>11 fame, right?</p> <p>12 So it's not -- in the</p> <p>13 beginning, they say, Oh, Man, I want</p> <p>14 all the money; I want the sponsorship;</p> <p>15 I want to have the glory; I want to</p> <p>16 have all the stuff, but in reality,</p> <p>17 first, they just want to be shown on</p> <p>18 TV. They want to show their parents</p> <p>19 that they're on TV and they're</p> <p>20 fighting. I know it's crazy, but it's</p> <p>21 the truth.</p> <p>22 And then -- but if you -- if</p> <p>23 you're on some wacky network on some</p> <p>24 crazy station that they're showing at</p> <p>25 2:00 in the morning, who wants that?</p>
<p style="text-align: right;">243</p> <p>1 OTTO</p> <p>2 <b>Q And you need the TV contract?</b></p> <p>3 A Yes. And --</p> <p>4 <b>Q It's hard to --</b></p> <p>5 A And then, the TV networks get</p> <p>6 upset if they can't sell time to</p> <p>7 Gatorade, the beer companies, the</p> <p>8 popcorn companies, and the Muscle Milk,</p> <p>9 and the HeadBlade, and whatever. So,</p> <p>10 if someone is blocking you from doing</p> <p>11 that, it's a challenge.</p> <p>12 <b>Q Hard to compete if you have a</b></p> <p>13 <b>competitor out there blocking you from</b></p> <p>14 <b>gettings top sponsors?</b></p> <p>15 MR. SKAGGS: Objection.</p> <p>16 Leading. Foundation.</p> <p>17 <b>Q Is that right?</b></p> <p>18 A That is 100 percent right.</p> <p>19 <b>Q Sounds like there's a bit of</b></p> <p>20 <b>a catch-22 because it's hard to get the</b></p> <p>21 <b>top-level fighters unless you're</b></p> <p>22 <b>already an established business with a</b></p> <p>23 <b>top TV contract. It's hard to get a TV</b></p> <p>24 <b>contract unless you have the top-level</b></p> <p>25 <b>fighters?</b></p>	<p style="text-align: right;">245</p> <p>1 OTTO</p> <p>2 How can you -- how could you generate</p> <p>3 revenue from that?</p> <p>4 So, unfortunately, in that</p> <p>5 business, you have to go from first</p> <p>6 gear to sixth gear, like this. And</p> <p>7 then you're all in; chips in, and it's</p> <p>8 do or die. And then, if anything</p> <p>9 breaks, it's risky.</p> <p>10 <b>Q So it's a difficult business</b></p> <p>11 <b>to break into, in your opinion?</b></p> <p>12 MR. SKAGGS: Objection.</p> <p>13 Foundation.</p> <p>14 A It's as tough as it is. And</p> <p>15 then, on top of that, you have people</p> <p>16 shooting arrows at you.</p> <p>17 <b>Q Like Zuffa?</b></p> <p>18 MR. SKAGGS: Objection.</p> <p>19 Foundation.</p> <p>20 A Right.</p> <p>21 <b>Q Are you aware that Zuffa</b></p> <p>22 <b>acquired the World Fighting Alliance?</b></p> <p>23 MR. SKAGGS: Objection.</p> <p>24 Foundation.</p> <p>25 <b>Q In about 2006?</b></p>

<p style="text-align: right;">246</p> <p>1 <b>OTTO</b></p> <p>2 MR. SKAGGS: Leading.</p> <p>3 A I know there is -- was a</p> <p>4 maybe three or four companies they</p> <p>5 acquired.</p> <p>6 <b>Q World Extreme Cage Fighting?</b></p> <p>7 MR. SKAGGS: Objection.</p> <p>8 A Yes, WEC.</p> <p>9 <b>Q So you're aware that Zuffa</b></p> <p>10 <b>acquired WEC?</b></p> <p>11 MR. SKAGGS: Objection.</p> <p>12 Foundation.</p> <p>13 A At the time, yes.</p> <p>14 <b>Q And you're aware that Zuffa</b></p> <p>15 <b>acquired Pride in 2007?</b></p> <p>16 MR. SKAGGS: Objection.</p> <p>17 Foundation.</p> <p>18 A Yes.</p> <p>19 <b>Q Do you have an opinion about</b></p> <p>20 <b>whether Zuffa's acquisition of Pride</b></p> <p>21 <b>and WEC and WFA, in or about 2006 or</b></p> <p>22 <b>2007, made it more difficult or less</b></p> <p>23 <b>difficult to compete with the UFC?</b></p> <p>24 MR. SKAGGS: Objection.</p> <p>25 Calls for speculation, and</p>	<p style="text-align: right;">248</p> <p>1 <b>OTTO</b></p> <p>2 A From a strategic standpoint</p> <p>3 if you have the capital to do it, I</p> <p>4 understand why they would do it. If</p> <p>5 that's, in fact, why they did it, I</p> <p>6 understand why they did it.</p> <p>7 But to directly answer your</p> <p>8 questions, Does it limit your fight</p> <p>9 pool? Yes. For free agents, yes.</p> <p>10 <b>Q For rivals?</b></p> <p>11 A Yes.</p> <p>12 <b>Q Did Zuffa ever</b></p> <p>13 <b>counter-program any of IFL's events?</b></p> <p>14 MR. SKAGGS: Objection.</p> <p>15 <b>Q Meaning, put up a Zuffa event</b></p> <p>16 <b>or UFC event counter to an IFL event?</b></p> <p>17 MR. SKAGGS: Leading.</p> <p>18 Foundation.</p> <p>19 A I do recall that. I don't</p> <p>20 know the specific event or the date or</p> <p>21 the year, but I do know that it may</p> <p>22 have crossed paths maybe once or twice.</p> <p>23 It could have been coincidental. Maybe</p> <p>24 not. I do remember some talk about</p> <p>25 that, or I do -- it directly relates to</p>
<p style="text-align: right;">247</p> <p>1 <b>OTTO</b></p> <p>2 irrelevant.</p> <p>3 A Well, you tell me. If I need</p> <p>4 to go get fighters that are bigger</p> <p>5 names, they're not in the woods</p> <p>6 somewhere up, in a tree, hiding,</p> <p>7 they're in a fight organization. And</p> <p>8 if they're locked up in a contract</p> <p>9 prematurely or a contract that was</p> <p>10 transferred and assumed because of the</p> <p>11 acquisition, I have no shot of getting</p> <p>12 that fighter.</p> <p>13 So I have to go all the way</p> <p>14 down to the gym level and go find a new</p> <p>15 gym rat that has talent and build them</p> <p>16 up and start from scratch. So, if you</p> <p>17 buy all the talent, your chances of</p> <p>18 finding Conor McGregor are slim to</p> <p>19 none; this one is out of town.</p> <p>20 <b>Q Is that, you believe, what</b></p> <p>21 <b>Zuffa was engaged in, in part, in</b></p> <p>22 <b>buying all of these companies?</b></p> <p>23 MR. SKAGGS: Objection.</p> <p>24 Calls for speculation. Leading.</p> <p>25 Foundation.</p>	<p style="text-align: right;">249</p> <p>1 <b>OTTO</b></p> <p>2 our season being exposed ahead of time,</p> <p>3 so I know that there was talk about</p> <p>4 that.</p> <p>5 <b>Q That Zuffa might have decided</b></p> <p>6 <b>to put out an event counter to an IFL</b></p> <p>7 <b>event in order to make sure that the</b></p> <p>8 <b>IFL event was not as successful as it</b></p> <p>9 <b>otherwise might have been?</b></p> <p>10 MR. SKAGGS: Objection.</p> <p>11 Leading. Foundation.</p> <p>12 A Correct. And there is one</p> <p>13 more thing to that. Like -- and,</p> <p>14 again, this is just my opinion, okay?</p> <p>15 That if -- let's say I book something</p> <p>16 on a Saturday night in Dallas, Saturday</p> <p>17 night, midmonth. If another MMA event,</p> <p>18 let's say, the UFC, was two weeks</p> <p>19 before that or a week before that, not</p> <p>20 even on the same night, that arena</p> <p>21 could frown on that because it's, like,</p> <p>22 saturated, like, Oh, we just had an</p> <p>23 event there. I don't know. We're not</p> <p>24 going to sell as much Coca-Cola and</p> <p>25 popcorn; who's going to show up.</p>

<p style="text-align: right;">250</p> <p>1 OTTO</p> <p>2 Okay. So you have that kind</p> <p>3 of effect, but again, that's just my</p> <p>4 opinion from a business standpoint.</p> <p>5 So -- but I do recall I know that they</p> <p>6 had our schedule, because everybody and</p> <p>7 their mother had it. And I do recall</p> <p>8 there was conflicting times.</p> <p>9 <b>Q Did the IFL pay the health</b></p> <p>10 <b>benefits of its fighters?</b></p> <p>11 A Yep. Yes.</p> <p>12 <b>Q How did you go about -- what</b></p> <p>13 <b>was the nature of the benefits offered</b></p> <p>14 <b>by the IFL to fighters?</b></p> <p>15 A Well, we had an event policy,</p> <p>16 twofold, that if anyone was ever</p> <p>17 injured as a fighter in the event --</p> <p>18 and then also people in the stands</p> <p>19 sometimes fight, so you had that event</p> <p>20 insurance for the, like, the Jets and</p> <p>21 Phillies fans -- I'm just kidding. And</p> <p>22 the Raiders.</p> <p>23 So we would have event</p> <p>24 insurance that night. And then, also,</p> <p>25 every single time somebody was injured,</p>	<p style="text-align: right;">252</p> <p>1 OTTO</p> <p>2 the record.</p> <p>3 MR. CRAMER: I was asked</p> <p>4 before we finished, what the</p> <p>5 nature of Exhibit 8 was, the</p> <p>6 International Fight League Team</p> <p>7 Member Fight Agreement, or the</p> <p>8 provenance of it was, and it, for</p> <p>9 whatever reason, the exhibit</p> <p>10 version did not have a Bates</p> <p>11 number, but it was produced to</p> <p>12 Zuffa or Zuffa's counsel, bearing</p> <p>13 the Bates range 8B-PLPF0001123</p> <p>14 through 1141.</p> <p>15 I don't know why the version</p> <p>16 that we're using is not a version</p> <p>17 that was Bates stamped. I can't</p> <p>18 answer that question. But we --</p> <p>19 apparently, this was sent to Zuffa</p> <p>20 under cover of a letter, dated</p> <p>21 January 12, 2007.</p> <p>22 Over to you.</p> <p>23 EXAMINATION BY MR. SKAGGS:</p> <p>24 <b>Q How are you? I'm Rory</b></p> <p>25 <b>Skaggs. I'll be asking you some</b></p>
<p style="text-align: right;">251</p> <p>1 OTTO</p> <p>2 legitimately injured, whether it was</p> <p>3 practice or whether it was in a fight,</p> <p>4 or whether they lost a tooth or whether</p> <p>5 they broke a nose or whether they</p> <p>6 cracked an orbital or whatever the</p> <p>7 situation was, we sent them to the</p> <p>8 emergency room, and we paid for that in</p> <p>9 full ourselves, every time.</p> <p>10 MR. CRAMER: All right.</p> <p>11 Thank you. I have no further</p> <p>12 questions.</p> <p>13 THE WITNESS: Uh-huh.</p> <p>14 MR. SKAGGS: I need to take a</p> <p>15 look at this. Maybe 15 minutes;</p> <p>16 does that work?</p> <p>17 MR. CRAMER: Sure.</p> <p>18 MR. SKAGGS: Cool.</p> <p>19 VIDEOGRAPHER: The time now</p> <p>20 is 2:37. Going off the record.</p> <p>21 (Whereupon, a brief recess</p> <p>22 was taken.)</p> <p>23 VIDEOGRAPHER: The time now</p> <p>24 is 2:53. This marks the beginning</p> <p>25 of Tape Number 3. We're back on</p>	<p style="text-align: right;">253</p> <p>1 OTTO</p> <p>2 <b>questions. If you don't understand</b></p> <p>3 <b>just let me know, and I will try to</b></p> <p>4 <b>rephrase.</b></p> <p>5 <b>We talked a little bit about</b></p> <p>6 <b>this at the beginning, but you said you</b></p> <p>7 <b>had probably met the named plaintiffs</b></p> <p>8 <b>in this case at some point.</b></p> <p>9 <b>Do you remember any</b></p> <p>10 <b>conversations you might have had with</b></p> <p>11 <b>them?</b></p> <p>12 A If anything, it would just be</p> <p>13 like a hello and goodbye. Maybe they</p> <p>14 came to my event or I was at an event</p> <p>15 that they were at, just like introduce,</p> <p>16 hello.</p> <p>17 <b>Q Nothing substantive?</b></p> <p>18 A No conversation but hello or</p> <p>19 goodbye. That's it.</p> <p>20 <b>Q So we've been talking -- or,</b></p> <p>21 <b>you've been talking about your</b></p> <p>22 <b>experience with IFL.</b></p> <p>23 <b>Just so I'm clear, before you</b></p> <p>24 <b>started IFL, you had no previous</b></p> <p>25 <b>business experience in MMA promotion;</b></p>

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